MARKED UP COPY OF AMENDED CLAIMS:

1. (Six Times Amended) A closure for cable connection comprising: a pair of sleeve members formed with a semicylindrical shape and joined to each other in a manner to be vertically separable from each other, resulting in providing a cylindrical sleeve which surrounds a cable connection section, said sleeve members each having abutting joint surfaces formed on both sides thereof, through which said sleeve members are joined together; end plates arranged on opposite ends of said sleeve and each formed with at least one cable guide hole through which a cable connected to said cable connection section is inserted, said end plates each integrally provided on the outer periphery surface thereof with a sealing member including a plurality of peak and valley shaped grooves which are integrally formed on the outer periphery surface of the end plate, said peak and valley shaped grooves extending in a circumferential direction of the end plate so as to be abutted against the inner surface of the sleeve; hinges and fasteners releasably hooked between said sleeve members to integrally connect said sleeve members to each other through said abutting joint surfaces arranged opposite to each other; said end plates each being formed of rubber plastic material with a slit in a manner to extend from said cable guide hole to a portion of said end plate in proximity to an outer periphery of said end plate so as to permit a wall of said end plate to open by cutting along said slit; said cable guide hole being provided thereon with a thin-wall cap capable of being removed by cutting and said slit being detachably fitted therein with a rigidity holding member; and a gasket including an adhesive ~~interposed~~locally arranged between said outer periphery of said end plate and an inner surface of said sleeve members so

as to cover an outer end of said slit, said gasket arranged on the outer periphery surface of the end plate by adhesion while being conformed to the outer periphery of the end plate and the plurality of peak and valley shaped grooves of the sealing member~~, said gasket being discontinuous about the outer periphery surface of said end plate whereby portions of said plurality of peaks and valleys are exposed, whereby said exposed portions of said plurality of peaks and valleys are abutted directly against the inner surface of the sleeve and the gasket covered portions of said plurality of peaks and valleys are abutted against said inner sleeve with said gasket therebetween~~.

REMARKS

This Preliminary Amendment is being filed contemporaneously with Applicant's Continued Prosecution Application which is in response to the outstanding final rejection mailed September 10, 2001, the shortened statutory period for filing a response having expired on December 10, 2001. In this regard, Applicants submit herewith a Three Month Extension Petition to reset the deadline for submitting the within Continued Prosecution Application from December 10, 2001 to and including March 10, 2002. In view of the above amendments and within remarks, reconsideration of the Examiner's rejection is respectfully requested.

The Examiner has objected to Applicants' Amendment filed on November 16, 2000 under 35 U.S.C. §132 stating that it introduces new matter into the disclosure, and specifically into independent claim 1. For those reasons set forth in Applicants' communication of July 23, 2001, Applicants disagree with the Examiners' position. Specifically, for those reasons previously set forth, Applicants believe that the objected to language has ample support in Applicants' specification whereby the Examiner's objection should be withdrawn. However, in order to advance the prosecution of this application, Applicants, without prejudice, have deleted the objected to disclosure. Accordingly, the issues raised by the Examiner in the objection under 35 U.S.C. §132 is considered moot.

Claim 1 has been amended to clarify that the gasket, including an adhesive, is "locally" arranged between the outer periphery of the end plate and the inner surface of the sleeve members so as to cover an outer end of the slit. Support for the aforementioned claim limitation may be found in Applicants' specification on page 14, ln. 36-page 15, ln. 4. The prior art

cited by the Examiner does not disclose the claimed arrangement of Applicants' gasket, that is, a gasket that is locally arranged between the end plate and the sleeve members.

It has been acknowledged by the Examiner that Sasaki, et al. does not disclose the use of a gasket including an adhesive. Thus, the teachings of Sasaki, et al. are insufficient as a matter of law of rendering obvious Applicants' claimed invention. To this end, the Examiner refers to Nimiya, et al. as disclosing a gasket and an adhesive. However, the gasket disclosed in Nimiya, et al. extends 360° around the end plate. There is no teaching or suggestion in Nimiya, et al. of the gasket being arranged other than completely about the end plate. In fact, it is a specific requirement that that gasket of Nimiya, et al. extend 360° about the end plate. Otherwise, a proper seal could not be achieved. The combination suggested by the Examiner, even if proper, would require that the gasket be provided 360° about the end plate disclosed in Sasaki, et al. There is no other suggestion, i.e., a gasket which is "locally" arranged as set forth in claim 1.

Further, Nimiya, et al. merely discloses the use of an elastic tape 60 which is wound around the outer smooth recess portion 42B of the end plate as best shown in Fig. 5. There is no suggestion in Nimiya, et al. of arranging the elastic tape as claimed with respect to Applicants' adhesive gasket so as to be conformed to the outer periphery of the end plate and the plurality of peaks and valley shaped grooves of the sealing member. In this regard, the end plate of Sasaki, et al. is made of a rubber elastic material and is provided on its outer periphery with a plurality of circumferential projections 26 which serve as an air-tight seal between the inner periphery of the sleeve and the outer periphery of the end plate.

Accordingly, Sasaki, et al. teaches that the circumferential projections 26, without more, is sufficient for providing an air-tight seal and that other sealing mechanisms are not warranted or necessary. Thus, there is no need for any modification of Sasaki, et al. to provide any additional sealing means such as may be disclosed in Nimiya, et al.

It is clear that the sealing principles of Sasaki, et al. and Nimiya, et al. are contrary to one another. On the one hand, Sasaki, et al. makes use of the inherent properties of its end plate being made from rubber elastic material and the provisions of circumferential projections to form an air-tight seal. On the other hand, Nimiya, et al. employs a separate elastic material formed within recessed portions 42B of its end plate which is made of a rigid material necessitating the use of the elastic material to create a seal. Sasaki, et al. provides no suggestion that any additional sealing element, such as Nimiya et al.'s elastic tape is required to provide an air-tight seal.

Turning to independent claim 32, this claim requires that the holding spaces are detachable as originally claimed. More specifically, Applicants' cable clamp includes a clamp body having curved holding member 17, as shown in Fig. 14. The cable guide recess and the curved holding member are each provided with detachable holding spacers 33 in a manner to be opposite to each other as also shown in Fig. 14. It is pointed out that the Examiner in the Official Action has made no reference to either Sasaki, et al. or Nimiya, et al. as disclosing Applicants' claimed detachable holding spacers as neither reference discloses this feature. If the Examiner believes otherwise, it is incumbent upon the Examiner to specifically identify this feature in the prior art.

In Sasaki, et al., Fig. 17, the cable clamp 4 is not provided with any corresponding feature to Applicants' claimed detachable holding spacers. Rather, the cable clamp is provided with pivotable clamp members 16, 17 having integrally formed on their respective curved surfaces 16_1 a plurality of teeth-like projections adapted to bite into the outer sheath of a cable. There is no disclosure in Sasaki, et al. of these teeth-like projections being detachable as claimed with respect to Applicants' detachable holding spacers. Accordingly, the prior art of record does not disclose this feature of Applicants' invention and notice to that effect is respectfully requested.

Applicants have rewritten dependent claims 4 and 22 into independent form, as newly proposed claims 34 and 35. As to independent claim 34, this claim is deemed patentable over the prior art of record for those reasons set forth with respect to independent claim 32. Neither Sasaki, et al. nor Nimiya, et al. disclose any detachable holding spaces which are arranged on curved inner surfaces of the clamp member. The Examiner has the burden of establishing a *prime facie* case of obviousness by specifically identifying these features in the cited prior art. To date, the Examiner has failed to identify these claimed features in the prior art.

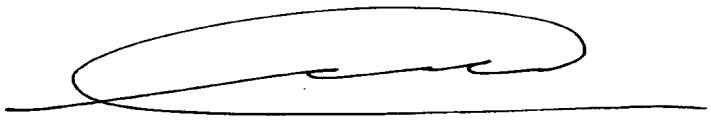
As to independent claim 35, there is also no disclosure of the features of dependent claim 22 of the specific construction of Applicants' hinges and fasteners. It is acknowledged that Sasaki, et al. discloses a pair of hinge mechanisms each constituted by hinge hole 28 and rod 27 and a plurality of buckles disposed on the other side of the sleeve. The buckles 30 are merely outlined, without detail, in Figs. 1, 3 and 22 of Sasaki, et al. To the extent shown in these drawings, the hinge mechanisms 27, 28 and buckles 30 of Sasaki, et al. are

different from the claimed construction of the hinges 60 and fasteners 70 in Applicants' claim 35. As to Nimiya, et al., there is merely disclosed sleeve fastening members 24 each constructed from a metal band 24A and a buckle 24B. What should be apparent to the Examiner is that neither Sasaki, et al. nor Nimiya, et al. disclose Applicants' claimed hinge and fasteners as set forth in claim 35. Here again, the Examiner has failed to establish a *prime facie* case of obviousness of Applicants' claimed invention. Accordingly, all claims pending in this application possess the requisite novelty and unobviousness over the prior art of record, and notice to that effect is respectfully requested.

If, for any reason, the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone Applicants' attorney at (908) 654-5000 in order to overcome any objections which she might have. If there are any fees to be incurred in connection with this Preliminary Amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP



STEPHEN B. GOLDMAN
Reg. No. 28,512

600 South Avenue West
Westfield, New Jersey 07090
Telephone: (908) 654-5000
Facsimile: (908) 654-7866

356986_1.DOC